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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 JEREMY ELGUEZ,
16 Defendant.

CASE NO. 2:20-CR-0092-JAM

STIPULATION AND ORDER TO CONTINUE
CHANGE OF PLEA HEARING AND TO
EXCLUDE TIME

DATE: August 4, 2020
TIME: 9:30 a.m.
COURT: Hon. John A. Mendez

17 **STIPULATION**

18 IT IS HEREBY STIPULATED by and between the parties hereto through their respective
19 counsel, U.S. Attorney McGregor Scott, through Assistant United States Attorney, Tanya Syed, attorney
20 for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hannah
21 Labaree, attorney for defendant Jeremy Elguez, that the Change of Plea hearing date of July 28, 2020, be
22 continued to August 4, 2020 at 9:30 a.m, at the defendants' request.

23 Counsel for the defendant requires time to review discovery, conduct independent investigation,
24 and meet with her client to review the material. The parties agree and stipulate, and request that the
25 Court find the following:

26 (a) The discovery associated with this case includes over 1100 individually Bates-stamped
27 items of discovery, including investigative reports, documents obtained from third parties, and related
28 documents, as well as video recordings and data extracted from a cellular phone.

(b) On July 16, 2020, the government produced an additional four pages of discovery and on July 23, 2020, the government produced additional discovery. More discovery is forthcoming.

(c) Counsel for defendant desires additional time to review the evidence, and discuss the evidence with her client, who is incarcerated at the Sacramento County Jail.

(d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

(e) The government does not object to the continuance.

(f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

Based upon the foregoing, the parties agree time under the Speedy Trial Act should be excluded from this order's date through and including August 4, 2020, pursuant to 18 U.S.C. §3161 (h)(7)(A) and (B)(iv) (reasonable time to prepare), and General Order 479, Local Code T4, based upon continuity of counsel and defense preparation.

Counsel and the defendant also agree that the ends of justice served by the Court granting this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

Dated: July 24, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ TANYA B. SYED
TANYA B. SYED
Assistant United States Attorney

Dated: July 24, 2020

/s/ HANNAH LABAREE
HANNAH LABAREE
Counsel for Defendant
JEREMY ELGUEZ

FINDINGS AND ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its Order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date of this order, up to and including August 4, 2020, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). It is further ordered the July 28, 2020 Change of Plea hearing shall be continued until August 4, 2020, at 9:30 a.m.

Dated: July 24, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE